

## FARMINGTON CITY COUNCIL MEETING

June 20, 2017

### WORK SESSION

*Present: Mayor Jim Talbot; Councilmembers John Bilton, Doug Anderson, Brigham Mellor, Cory Ritz, Brett Anderson; City Manager Dave Millheim, Assistant City Manager Keith Johnson, City Engineer Chad Boshell, City Planner Eric Anderson, City Recorder Holly Gadd, and Recording Secretary Tarra McFadden*

#### **Budget Discussion**

Assistant City Manager **Keith Johnson** presented information regarding the Annual Budget for Fiscal Year ending June 30, 2018. The General Fund balance for Fiscal Year 2017 will end around \$2.75 million. With the budget as presented the General Fund for Fiscal Year 2018 will end close to \$1.5 million.

There will be no property or other tax increase and the City is proposing a decrease in the General Obligation Bonding rate. Taxes have not been increased within the City since 2003. The State Tax Commission will not allow the City to carry a balance in the bond fund so adjustments have to be made in the rate.

The City plans to hire two new full-time Fire Engineers and three new Police Officers. Business License fees are the only fees set to increase. The City continues to be in good financial condition and able to meet the ongoing needs for services in the City.

City Manager **Dave Millheim** explained the process to the Council about passing the FY2018 budget via the public hearing.

#### **Other Items**

**Dave Millheim** explained that the agenda item regarding the annexation of Lowell Johnson's property does not require a discussion of the merits of his proposal and is just a decision to rehear the item at the July 18 meeting.

Mayor **Jim Talbot** recommended that Councilmembers consider the lease on the Verizon tower outside of the minute motion summary so that it may be discussed in greater detail before the Council approves execution of the contract.

### REGULAR SESSION

*Present: Mayor Jim Talbot; Councilmembers John Bilton, Doug Anderson, Brigham Mellor, Cory Ritz, Brett Anderson; City Manager Dave Millheim, Assistant City Manager Keith Johnson, City Engineer Chad Boshell, City Planner Eric Anderson, City Recorder Holly Gadd, and Recording Secretary Tarra McFadden*

## **CALL TO ORDER:**

Mayor **Jim Talbot** called the meeting to order at 7:06 p.m.

## **Roll Call (Opening Comments/Invocation/Pledge of Allegiance)**

The invocation was offered by **Councilmember Brett Anderson** and the Pledge of Allegiance was led by Boy Scout Zach Shumway.

### ***Motion:***

Councilmember **Cory Ritz** moved, with a second from Councilmember **John Bilton** to adjourn to the Redevelopment Agency Meeting. The motion was approved unanimously.

## **REDEVELOPMENT AGENCY MEETING**

**Keith Johnson** stated that two project areas near the former Kmart have a few more years to collect additional tax increment for Parks and Recreation. As Station Park completes its buildout, the tax increment for the Station Park RDA is accelerating.

**Mayor Jim Talbot** opened the public hearing at 7:13 p.m.; with no one signed up to address the Council on the issue, he immediately closed the public hearing.

### ***Motion:***

Councilmember **Doug Anderson** moved to adopt the resolution enclosed in the staff report which amends the budgets for fiscal year 2017, and adopts the RDA US 89 and Station Park project area budgets for fiscal year ending June 30, 2018.

**John Bilton** seconded the motion which was approved unanimously.

### ***Motion:***

**Cory Ritz** moved to reconvene to the Regular Session of the City Council meeting. **Doug Anderson** seconded the motion which was approved unanimously.

## **REGULAR SESSION**

### **PUBLIC HEARINGS:**

## **Resolution Amending the Annual Budget for Fiscal Year ending June 30, 2017; and Adopting the Annual Budget for Fiscal Year ending June 30, 2018**

**Keith Johnson** provided a brief overview of the annual budget for both fiscal years 2017 and 2018. The Council has discussed the budget at length in previous meetings and reviewed material at the work session.

*Mayor Jim Talbot opened the public hearing at 7:16 p.m.; with no one signed up to address the Council on the issue, he immediately closed the public hearing.*

Councilmembers expressed appreciation for the work of **Keith Johnson** who has been an outstanding CFO for the City. Because of his work, the city is fiscally sound.

***Motion:***

**John Bilton** moved to adopt the resolution contained in the staff report which amends the budget for fiscal year 2017, adopts the 2018 budget with the compensation schedule and establishes the property tax rate for fiscal year ending June 30, 2018. The general tax rate will be .001343 and the certified tax rate of .001942.

**Brett Anderson** seconded the motion which was approved unanimously.

**PRESENTATIONS:**

**Children's Trail Program**

**Amy Shumway** presented to the Council about beginning a Children's Trail Program to reward children who hike Farmington trails. The Trails Committee currently rewards those that hike 15, 30, 50, and 100 miles. Children would work to earn a 15-miler patch. Local sponsors will provide prizes for participants.

The Trails Committee proposes printing a booklet where participants can track mileage and have maps all in one place. The booklet will include a pledge to be prepared, respectful, and friendly and will also contain coloring and activity pages.

The cost of have the booklets printed is estimated at \$2,000. The Trails Committee plans to have a kick-off event with the University of Utah Health Center. Activities will include information about first aid and trail safety.

The Trails Committee plans to develop a children's hiking program with the Parks and Recreation Department that could include a summer hiking camp, a geocaching/compass course and a botanical hike.

**Cam Quayle** of Mountain View Pediatric Dentistry is a local dentist and a Farmington trail boss. He is supportive of the program to promote a healthier community and connect residents with local businesses.

**Rod Robison**, head of the trails committee, noted the success of the printed trail guidebooks.

***Motion:***

Councilmember **Brigham Mellor** moved to approve the trails committee proposal for a children's trail program and the use of \$2,000 from the trails committee fund for related costs.

**Cory Ritz** seconded the motion which was approved unanimously.

## **ACTION ITEMS:**

### **Approval of Kilgore Contracting to Construct the FY2018 Road Maintenance Project**

City Engineer **Chad Boshell** described the set of bids received for street maintenance and road overlays. Kilgore Contracting produced the low bid; staff recommend awarding the bid to their company.

#### ***Motion:***

**John Bilton** moved to approve the contract and bid from Kilgore Contracting for the construction of road maintenance improvements in the amount of \$586,147.17 to be paid from the street maintenance fund.

**Doug Anderson** seconded the motion which was approved unanimously.

### **Proposed Motion to Reconsider-Lowell Johnson Annexation Request**

Assistant City Planner, **Eric Anderson**, presented an overview of the agenda item noting that the Council previously denied the annexation request. Lowell Johnson asked that the issue be reconsidered.

#### ***Motion:***

**Brigham Mellor** moved to reconsider the Lowell Johnson Annexation request at the July 18<sup>th</sup> City Council meeting.

**Doug Anderson** seconded the motion which was approved unanimously.

### **Ordinance Amending Regulations relating to the Licensing of Home Occupation Businesses**

**Keith Johnson** explained that the legislature passed Senate Bill 81 which exempts home occupation business from licenses if the business does not impact residential use. The City must amend its existing ordinance. The City Attorney has rewritten the City ordinance to comply with State law.

#### ***Motion:***

**Brigham Mellor** moved to approve the ordinance as contained in the staff report, which changes the business license exemptions.

**Cory Ritz** seconded the motion. A roll call vote was taken with all Councilmembers voting in the affirmative.

### **Resolution Amending the Consolidated Fee Schedule regarding Business License Fees**

**Keith Johnson** explained that as a result of the change in the Licensing of Home Occupation Businesses ordinance, the City proposes to raise Home Occupation Business fees from \$40 to

\$75 to cover inspection fee. Additionally, it is proposed that the commercial fee schedule be structured with a three-tier schedule for adjusted for small, medium, and large commercial ventures.

***Motion:***

**Doug Anderson** moved to adopt the resolution amending the Consolidated Fee Schedule regarding Business License Fees as contained in the staff report.

**Brett Anderson** seconded the motion which was approved unanimously.

**Amendment to Rice Farms Development Agreement and related PUD Master Plan**

**Eric Anderson** presented information regarding the last phase of Rice Farms located at 140 East. The original developer, Jerry Preston, requested waiving the trail requirement and was denied; Justin Atwater has assumed the project and has included 4 additional homes from preliminary plat. To make the trail work, the developer must preserve the historic building (Rice Farm). The Planning Commission approved the preliminary plat with additional four lots, changes to the layout of Phase 3, the addition of a trail and the preservation of the historic home.

**Cory Ritz** noted that the Planning Commission decision was not unanimous and noted that concerns were expressed concern about increasing density to keep the historic home without having strong assurances in place.

**Eric Anderson** noted that the development agreement is vague indicating a “good faith effort” is required by the developer to keep the historic home. The majority of commissioners felt the conditions in the agreement were sufficient. He explained that including conditions in the preliminary plat approval gives the deal more teeth and is fairest to all sides. With this amendment in place, before recording the plat, the historic home has to be added to the historic register, and obtain a certificate of historic appropriateness. The home will also be required to have new doors, windows and roof to keep the home secure in accordance with city ordinance.

**Eric Anderson** clarified that information was presented at the Planning Commission meeting which verified the historicity of the home.

**Justin Atwater**, 105 Country Way, Fruit Heights, argued that as the project has evolved the development agreement requires amending. The allowable density is designated at 116 units, and with this amendment the project would be at 106 units. He noted that the intention is to restore the historic home and make it part of the residence on the lot using a breezeway concept to integrate it into the development and residence. He argued that the conditions present for approval will assure that the home will be consistent with historical designation.

***Motion:***

**John Bilton** moved that the City Council approve the enclosed Amendment #1 to the Rice Farms development agreement, and the related Final PUD Master Plan amendment subject to all applicable Farmington City ordinances and development standards. As well as conditions 1-8 as recorded in the Planning Commission minutes from June 8, 2017, with a ninth condition to be

added that for lot 704 the historic home be integrated in the site plan prior to the issuance of a building permit and with review by City building officials.

**Brigham Mellor** seconded the motion which was approved unanimously.

Findings for Approval (from City Council Staff Report dated June 20, 2017):

1. The proposed amendment to the Final PUD Master Plan conforms to the yield plan and does not exceed the total number of lots allowed.
2. The proposed amendment to the Final PUD Master Plan is consistent with the overall densities approved through the development agreement in 2006.
3. The proposed amendment to the Final PUD Master Plan should have been amended earlier, because the overall phasing of the project changed, and the memorialized densities for Phase III were changed to help the developer through the recession; the amendment is cleaning up this oversight.
4. The proposed amendment to the Final PUD Master Plan enables preservation of an historic building.
5. The proposed amendment to the Final PUD Master Plan is consistent with the existing master plan in that it continues to show a trail connection from 140 to 200 East.

Conditions for Approval

1. The applicant continues to work with the City and other agencies to address any outstanding issues remaining with regard to the preliminary plat prior to final plat consideration;
2. The applicant shall provide a viable trail easement connecting 140 East to 200 East within Phase VII and show that easement on final plat;
3. The applicant shall work with staff and the Historic Preservation Commission to obtain a Certificate of Historic Appropriateness before Final Plat for the historic Rice home on Lot 704;
4. The restoration to meet the Certificate of Historic Appropriateness will be accomplished concurrent with the completion of the roads and sidewalks;
5. The home will be put on the City's historic register by the time the public infrastructure goes into warranty;
6. The applicant will maintain Lot 704 in an acceptable condition in accordance to City ordinances;
7. The applicant will show the two possible trail easements on final plat;
8. If the historic home cannot meet the requirements for the Certificate of Historical Appropriateness, the applicant will bring the application back to the Planning Commission for reconsideration;
9. Prior to Building Permit, plans will show the integration of new home on lot 704 to existing historic home through a site plan.

## **SUMMARY ACTION:**

1. Approval of Minutes from June 6, 2017
2. The Meadows at City Park Subdivision Improvements Agreement Recommendation
3. Avanti Apartments Improvements Agreement
4. Amendment to Lease Agreement with Verizon Wireless (American Tower)

### ***Motion:***

**John Bilton** moved to remove Amendment to Lease Agreement with Verizon Wireless (American Tower) from the summary action list.

**Cory Ritz** seconded the motion which was approved unanimously.

### ***Motion:***

**Brett Anderson** moved, with a second from **Doug Anderson**, to approve summary action item 1 through 3 as contained in the staff report.

The motion was approved unanimously.

## **Amendment to Lease Agreement with Verizon Wireless (American Tower)**

**John Bilton** expressed concern regarding the length of the agreement as the needs of the City and technological advances will change before 2036. Mayor **Jim Talbot** argued that the way the lease is written gives the control of the options to the tenant rather than the City. **Brigham Mellor** suggested denying the amendment and having staff communicate the Council desire for better lease terms.

### ***Motion:***

**Brigham Mellor** moved to deny the lease agreement with Verizon Wireless (American Tower). **John Bilton** seconded the motion which was approved unanimously.

## **GOVERNING BODY REPORTS:**

### **City Manager Report**

1. Fire Monthly Activity Report for May

**Dave Millheim** shared information regarding the Web.com Golf Tournament. The City should receive some positive press out of the event. The logistics have been a challenge, but with strong communication moving forward this should be a benefit to the City.

**Dave Millheim** asked for a Councilmember or two to be present at a meeting with representatives from Economic Development Corporation of Utah. It is helpful to have this organization understand the Council's vision for development in Farmington.

**Dave Millheim** noted that in the July 18 meeting a summary action item will be related to the red brick home and purchase documents from UDOT. The documents are consistent with prior discussions.

He also provided a reminder regarding the Council candidate orientation where City election processes will be discussed.

### **Mayor Talbot & City Council Reports**

#### **Councilmember Brigham Mellor**

**Brigham Mellor** shared information about a meeting with County officials regarding a proposed rugby stadium at the Davis County Fairgrounds. Mayor Talbot suggested a meeting between the City and County Councils to improve working relationships.

#### **Councilmember Cory Ritz**

No updates to report.

#### **Councilmember Doug Anderson**

No updates to report.

#### **Councilmember Brett Anderson**

No updates to report.

#### **Councilmember John Bilton**

**John Bilton** asked about when to expect the Record of Decision for the West Davis Corridor and was told the City expects the decision to come the late Fall.

He asked about an update for the water tank. **Dave Millheim** shared that the tank is moving forward and the major site work will be done this year with construction happening next year.

**John Bilton** asked for an update from Walt Hokanson or another from the Public Works department to present the long-term roads plan such as improvements and changes anticipated in the next 3-5 years.

#### **Mayor Jim Talbot**

Mayor **Jim Talbot** will send an email regarding assignments to various Festival Day activities for Councilmembers.

### **CLOSED SESSION**

#### ***Motion:***

At 9:19 pm, **Brigham Mellor** made a motion to go into a closed meeting for purpose of employee competency and property acquisition. **Doug Anderson** seconded the motion which was unanimously approved.



Sworn Statement

I, **Jim Talbot**, Mayor of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the Council was so convened in a closed meeting.

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**Jim Talbot**, Mayor

***Motion:***

At 9:48 pm, **Cory Ritz** moved to reconvene into an open meeting. **Doug Anderson** seconded the motion which was unanimously approved.

**ADJOURNMENT**

***Motion:***

At 9:49 p.m., **John Bilton** moved to adjourn the meeting.

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**Holly Gadd**, City Recorder